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January 31, 2014

Via E-Filing and Regular Mail

Hon. Mark Falk, U.S.M.J.
United States District court
Martin Luther King Courthouse
50 Walnut Street
Newark, NJ 07102

Re: Zarnighian v. Deluxe Auto Sales, Inc., et al.,
2:10-cv-02421-CCC-JAD

Dear Judge Falk:

This firm represents plaintiff Shahram ("Sam") Zarnighian in the above-referenced matter. With Your Honor's aid, the parties entered into a settlement in principal on November 1, 2013. The Court then entered a conditional dismissal Order giving the parties until January 3, 2014 to object, which deadline was extended until February 3, 2014. Since that time, the parties executed a Settlement Agreement ("Agreement"), and defendants made initial settlement payments to plaintiff.

Pursuant to the Agreement, plaintiff must receive a first-priority mortgage to a certain property as security for payment of the settlement amounts. The mortgage has been recorded and we are now in need of proper confirmation that it is a first-priority lien, which takes some time due to the nature of the lien recordation process. Accordingly, we request a 30-day extension of the date to revive this action, which will provide sufficient time to confirm the priority of the "recorded" mortgage. We thank Your Honor for your consideration and time.

Respectfully submitted,


Mark E. Duckstein

MED/mb

c: Maria Vallejo, Esq. (via e-filing)